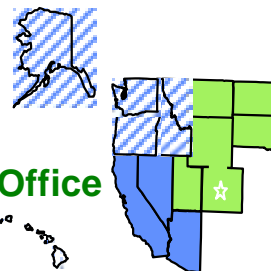




U.S. Army Environmental Center Western Regional Environmental Office

REGION VIII - NOVEMBER 1999



WESTERN REGION REVIEW

This publication provides current information on significant regulatory developments and related information in the Federal Region VIII area (Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming) that affect U.S. Army activities and operations. We appreciate your feedback and encourage suggestions for future discussion, or comments. Please contact us at U.S. Army Environmental Center, Western Regional Environmental Office, ATTN: SFIM-AEC-WR, Building 111, Commerce City, CO 80022-2108, commercial (303) 289-0125, DSN: 749-2125, FAX: (303) 289-0272.

REGIONAL UPDATES/ALERTS AVAILABLE ON THE INTERNET

Current and past issues of the *WESTERN REGION REVIEW* for Regions VIII, IX, and X are available on the Internet at <http://aec-www.apgea.army.mil:8080/prod/usaec/ro/western/updates/wupdates.htm>.

FEDERAL REGULATORY DEVELOPMENTS

Clean Air Act (CAA)

EPA Website for Air Permitting

An EPA website is available that provides information on the air permitting process including Title V permitting and New Source Review. Among other things, the site currently contains a database of EPA guidance on Title V permitting. The database can be searched online or downloaded in its entirety. The site will eventually allow on-line viewing of permits, engineering reports, and correspondence from regional, state and local air agencies. The web site address is <http://www.epa.gov/oar/oaps/permjmp.html>.

Emergency Planning and Community Right-to-Know Act (EPCRA)

Final Rule for PBTs

On 29 October 1999, EPA published the final rule for Persistent Bioaccumulative Toxic (PBT) reporting under EPCRA TRI (64 FR 209, 29 October 1999, page 58665). The rule is available at EPA's TRI website at <http://www.epa.gov/opptintr/tri/index.htm>. This rule first applies to EPCRA TRI reports due 1 July 2001 for calendar year 2000. It does not apply to reports due 1 July 2000 for calendar year 1999 or to any past TRI reports.

Toxic Substance Control Act (TSCA):

North American Regional Action Plan (NARAP) On Mercury

The U.S. Environmental Protection Agency (EPA) has issued a draft of the NARAP on mercury. The plan establishes a framework for future actions to be taken by the governments of Canada, Mexico and the United States to reduce mercury use and releases to the environment. Potentially affected activities that use mercury-containing items or release mercury into the environment include, but are not limited to: (1) automotive vehicle and equipment manufacturing; (2) the mercury cell chlor-alkali sector; (3) dry cell battery manufacturing; (4) electrical switches and relays sector; (5) lamp manufacturing; (6) health and

dental care sectors; (7) users of mercury for cultural and artisanal uses; and (8) analytical, testing, measurement, and calibration sectors. The notice announcing the availability of the document was published in the 16 September 1999 *Federal Register* (64 FR 50284). For general information contact: Christine Augustyniak, EPA, Office of Pollution Prevention and Toxics, (202) 554-1404, e-mail: tsca-hotline@epa.gov. For technical information contact: Greg Susanke, EPA, Office of Pollution Prevention and Toxics, (202) 260-3547, e-mail: susanke.greg@epa.gov.

Toxicological Profiles

The Agency for Toxic Substances and Disease Registry (ATSDR) has issued updated and new toxicological profiles for the following priority hazardous substances: (1) aluminum (aluminum chloride, aluminum chlorohydrate, aluminum lactate, aluminum hydroxide, aluminum oxide, aluminum nitrate, aluminum phosphate, aluminum phosphide, aluminum fluoride and aluminum sulfate); (2) cadmium (cadmium carbonate, cadmium chloride, cadmium oxide, cadmium sulfate and cadmium sulfide); (3) chlorophenols (2,3,5,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2-chlorophenol, 4-chlorophenol, 2,3,4,5-tetrachlorophenol and 2,3,4,6-tetrachlorophenol); (4) ethyl benzene; (5) formaldehyde; (6) hexachlorocyclohexane (alpha-, beta-, delta- and gamma-); (7) hexachlorocyclopentadiene; (8) hexane; (9) hydrogen sulfide; and (10) lead. The profiles are available through the U.S. Department of Commerce, National Technical Information Service (NTIS) at 1-800-553-6847. The notice announcing the availability of the profiles was published in the 22 September 1999 *Federal Register* (64 FR 51322). For further information contact: Loretta Norman, ATSDR, (404) 639-6322.

Safe Drinking Water Act (SDWA):

Unregulated Contaminant Monitoring Regulation for Public Water Systems

The U.S. Environmental Protection Agency (EPA) has revised its Unregulated Contaminant Monitoring Regulation (UCMR) for Public Water Systems (PWSs). This action substantially revises existing regulations for unregulated contaminant monitoring. More specifically, the revisions provide: (1) a list of 36 contaminants to be monitored; (2) procedures for selecting a representative nationwide sample of small PWSs that will be required to monitor; (3) the frequency and schedule for monitoring; (4) sampling points; (5) approved analytical methods to be used; and (6) procedures for entering the monitoring data in the National Drinking Water Contaminant Occurrence Database (NCOD). Although the systems regulated under this rule will monitor for fewer contaminants than was the case under the original UCMR program, the revisions increase the number of data elements that must be reported from 12 to 17. The effective date is 1 January 2001. The final rule was published in the 17 September 1999, *Federal Register* (64 FR 50556). EPA point of contact in the WREO area of responsibility: EPA Region X – Silva Kawbata (907)-271-5083.

Clean Water Act (CWA):

Water Quality Planning and Management

The U.S. Environmental Protection Agency (EPA) is proposing to revise, clarify and strengthen the agency's National Pollutant Discharge Elimination System (NPDES) program and Water Quality Standard (WQS) regulations governing discharges into waterbodies that are not attaining water quality standards. More specifically, the rulemaking would: (1) describe the agency's discretionary authority; (2) reissue state-issued expired and administratively-continued permits in the absence of an EPA approved or established TMDL; (3) require the offset of any increase in mass loadings in an amount that would result in reasonable further progress toward attainment of water quality standards; (4) reissue state-issued expired and administratively-continued permits for impaired waterbodies with established and approved TMDLs; and (5) designate certain currently unregulated sources as sources that would require an NPDES permit. The proposal applies to impaired waterbodies prior to the establishment of a TMDL. The proposal also complements a separately proposed rule (64 FR 46012) which would revise the agency's TMDL regulations for impaired waterbodies after the establishment of a TMDL. The proposed rule was published in the 23 August 1999 *Federal Register* (64 FR 46058). For information concerning NPDES provisions

contact: Kim Kramer, EPA, Office of Wastewater Management, (202) 260-9541, e-mail: kramer.kim@epa.gov. For information regarding water quality standards contact: Susan Gilbertson, EPA, Office of Science and Technology, (202) 260-7301, e-mail: gilbertson.sue@epa.gov.

General Pretreatment Regulations

The U.S. Environmental Protection Agency (EPA) has extended the comment period of a proposed rule (64 FR 39564) that would revise several provisions of the General Pretreatment Regulations for Existing and New Sources of Pollution from 20 September to 19 November 1999. See the September 1999 edition of this publication for a summary of the *Register* (64 FR 47755). For further information contact: Jeffrey Smith, EPA, Office of Wastewater Management, (202) 260-5586.

Consumer Confidence Reports

On 19 August 1998 the U.S. Environmental Protection Agency (EPA) published a final rule (63 FR 44511) establishing requirements for annual drinking water quality reports that water suppliers must provide to their customers. Appendix B to subpart O of that rule lists "leaching from PVC pipes" as a major source of tetrachloroethylene in drinking water. Leaching from PVC pipes is not a source of tetrachloroethylene in drinking water. On 14 September 1999 the EPA published a notice (64 FR 49671) correcting the final rule so that the Appendix lists only "discharge from factories and dry cleaners" as a major source of tetrachloroethylene in drinking water supplies. For further information contact: Rob Allison, EPA, (202) 260-9836, e-mail: allison.rob@epa.gov.

Miscellaneous:

FY 2000 Department of Defense Appropriations Act

The FY 2000 Department of Defense Appropriations Act contains a provision that prevents DoD and military departments from paying a fine or penalty that is imposed because of an environmental violation unless the payment has been specifically authorized by law. The relevant provision of the Act reads as follows: ***SEC. 8149. None of the funds appropriated in this Act may be used for the payment of a fine or penalty that is imposed against the Department of Defense or a military department arising from an environmental violation at a military installation or facility unless the payment of the fine or penalty has been specifically authorized by law. For purposes of this section, expenditure of funds to carry out a supplemental environmental project that is required to be carried out as part of such a penalty shall be considered to be a payment of the penalty.*** This provision does NOT exempt DoD from paying any fines. Instead, it prevents payment of fines from FY 2000 appropriated funds until Congress specifically authorizes payment. Any DoD request to pay a fine will become part of a DoD budget request submitted to Congress after first being reviewed within the Administration. For more information, contact Diane M. Connolly, Regional Counsel, (303) 289-0459.

Lead Based Paint Hazards in Federally Owned Residential Property

The Department of Housing And Urban Development (HUD) has finalized a rule implementing sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992). The purpose of the rule is to ensure that housing receiving federal assistance and federally owned housing, that is to be sold, does not pose lead-based paint hazards to young children. The final rule is a "major rule" as defined in the Congressional Review Act. The rule: (1) establishes new requirements for lead-based paint hazard notification, evaluation and reduction; (2) updates the existing regulations, giving importance to procedures that identify and remove dust-lead hazards as well as chipping, peeling or flaking lead-based paint; (3) offers a consolidated, uniform approach to addressing lead-based paint hazards; (4) eases the burden on HUD clients in locating and understanding applicable requirements; and (5) helps ensure that lead hazards are identified and safely reduced. Title 24 Section 35.140 of the CFR concerning the inspection and treatment of defective paint surfaces is effective 15 November 1999. All other provisions of the rule become effective 15 September

2000. The final rule was published in the 15 September 1999 *Federal Register* (64 FR 50140). For further information contact: HUD, (202) 755-1785 ext. 104, e-mail: lead-regulations@hud.gov.

CONFERENCES AND SYMPOSIUMS

- **Ideas and Approaches to Green Building.** One of the newest topics in environmental protection is sustainable building design. In this first of an anticipated series of broadcasts on sustainable design, EPA will review some basic principles and concepts of green building design and construction. Broadcast dates are 22 and 23 November 1999, from 1300-1500 hours, EST. For more information about the broadcast and downlink sites, visit EPA's website at <http://www.epa.gov/oar/oagps/eog/>. The course number is T-025-99.
- **Tri-Service Environmental Technology Workshop Proceedings.** The AEC has posted the proceedings from the 1998 Tri-Service Environmental Technology Workshop on the Internet at <http://aec.army.mil/prod/usaec/et/etw/proceedings.htm>. The workshop agenda, a list of attendees, and manuscripts can also be found on the web site. For further information e-mail Darlene Bader, AEC, at darlene.bader@aec.apgea.army.mil.
- **Joint Service P2/Hazardous Waste Management (HWM) Conference & Exhibition – San Antonio, TX.** The Fourth Annual Joint Services P2 Conference and Exhibition, "Environmental Stewardship for the Next Millennium," will be held **6-9 December 1999** in San Antonio, Texas. For further information visit the Internet at <http://www.ndia.org/events/brochure/040/040.htm>.
- **Water Reuse 2000 – San Antonio, TX.** The U.S. Environmental Protection Agency (EPA) is cosponsoring Water Reuse 2000, on **30 January-2 February 2000**, in San Antonio, Texas. Abstracts are being solicited to cover all aspects of water reuse, including: (1) agricultural reuse applications; (2) dual distribution system design and operation; (3) cross-connection control; (4) disinfection; (5) public outreach and education; (6) environmental enhancement through reuse; (7) health effects and risk assessment; (8) industrial reuse applications; (9) indirect potable reuse; (10) urban irrigation applications; (11) golf courses and parks; (12) regional program planning; (13) project economics, pricing, and financing, rate setting and capital funding; (14) regulatory and institutional issues; (15) research projects; (16) reclaimed water treatment technologies; (17) innovative urban reuse applications; (18) toilets, car washes and graywater systems; and (19) water quality issues. For further information contact: Lynda Pumphrey, (303) 347-6203, e-mail: lpumphre@awwa.org. Information also can be obtained from the Internet at <http://www.awwa.org/00reuse/call/overview.htm>.
- **Pollution Prevention Operations and Management – Satellite Broadcast Course.** The Air Force Institute of Technology (AFIT), Civil Engineer and Services School, is offering a 5-day Pollution Prevention Program Operations and Management course (course number ENV 022) **27-31 March and 17-21 July 2000**. The course emphasizes pollution prevention concepts such as source reduction of hazardous and toxic chemicals, solvent substitutions, reuses and recycling, process changes, and environmental awareness. The course also introduces management techniques that can be used to implement a sound pollution prevention program, including ways to: (a) establish and run the program, (b) conduct pollution prevention opportunity assessments, (c) implement process changes to incorporate pollution prevention, (d) assess pollution prevention program success, and (e) establish awareness training. For further information contact: AFIT/CEA, (937) 255-2156, DSN 786-2156. Additional information concerning this course and other courses offered by the AFIT Civil Engineer and Services School can be found on the Internet at: <http://cess.afit.af.mil/>. The course is offered through satellite broadcast only. Registration closes 40 days before broadcast.
- **Real World Air Conference and Exhibition – Atlanta, GA.** The U.S. Army Forces Command (FORSCOM) and the U.S. Army Center for Health Promotion and Preventive Medicine (CHPPM) are partnering to conduct the second Real World Air Conference. The conference is intended to address current air pollution issues affecting federal facilities. The conference will be held **15-18 May 2000** in Atlanta, Georgia. For further information contact: Sherri Hutchens, (410) 436-8149, e-mail:

sheri.hutchens@apg.amedd.army.mil or Rochelle Williams, (404) 464-7695, e-mail: williaro@forscom.army.mil. Additional information can also be found on the Internet at: <http://chppm-www.apgea.army.mil/air/airconf/conf.htm>.

COLORADO

Legislative Developments

COLORADO SPECIAL WATER COMMITTEE - WATER, ENDANGERED SPECIES

The Committee is charged with investigating Denver Basin groundwater management and South Platte River Basin issues. The Committee is also responsible for defining the scope of a technical study of the river basin and the Denver Basin aquifers by the State Engineer and the Director of the Colorado Water Conservation Board. As specified by law, the study must include the following: (1) an inventory of surface and groundwater resources in the South Platte River Basin; (2) an assessment of long term impacts on water rights from the use of tributary and nontributary groundwater; and (3) an examination of programs to protect endangered species on the Platte River.

1999's House Bill 1222 requires the Committee to investigate issues by conducting public hearings and monitoring the progress of the State Engineer and the Director of the Water Conservation Board in implementing the recommendations of the technical report which include: (1) development of a South Platte River decision support system; (2) conducting hydrologic, geologic, and groundwater studies recommended by technical peer review groups; (3) determining whether increased runoff from urbanization should be a replacement for depletions caused by urban groundwater pumping; and (4) consideration a *de minis* standard for groundwater pumping levels that would not be required to replace depletions caused by groundwater use.

Regulatory Developments

Air Quality:

- **Adoption of Federal Rule.** The Colorado Department of Public Health and Environment is drafting amendments to its air rules which would incorporate by reference USEPA requirements for the use of the "any credible evidence" and CAM requirements. The Department will also propose to adopt by reference new NSPS and MACT standards. The department held public hearings on these amendments 21 October 1999 and will accept written comments until 4 November 1999.
- **Proposed Redesignation: Nonattainment Area.** The Colorado Department of Public Health and Environment is proposing to redesignate the Denver Metropolitan carbon monoxide nonattainment area to attainment-maintenance status. The Department's proposal also includes a maintenance plan for the Denver metropolitan area. The Department will hold a public hearing 16 December 1999 and written comments will be accepted until 2 December 1999.

Water Quality:

- **Policy Review: Water Quality Standards.** The Colorado Department of Public Health and Environment is conducting a review of its policy entitled "Policy Regarding Antidegradation Reviews" and will hold a public hearing 8 November 1999. Written comments will be accepted until 27 October 1999 on whether the policy should be allowed to expire, repealed, extended or amended.
- **Proposed Rule Update: Nonpoint Sources.** The Colorado Department of Public Health and Environment is drafting a new draft based on the comments received at the 13 October 1999 proposed rule hearing. The new draft will be available 1 December 1999. The Department will hold another public hearing 10 January 2000, written comments will be accepted until that time.

Solid/Hazardous Waste:

- **Final Adoption: Standards Applicable to Closed and Closing Hazardous Waste Management Facilities.** The Colorado Hazardous Waste Commission adopted amended standards applicable to owners and operators of closed and closing hazardous waste management facilities, including post-closure permit requirements and closure process during its 21 September 1999 rule-making hearing. The amendments became effective 30 October 1999. Contact the Commission at (303) 692-3467 for questions or more information.
- **Final Adoption: Hazardous Waste Lamp Management.** The Colorado Hazardous Waste Commission adopted amendments which add regulations for management of hazardous waste lamps, specifically mercury-containing lamps. The amendments allow waste generators to manage this waste as a universal waste. They also allow generators to crush the lamps without obtaining a RCRA hazardous waste treatment permit under certain conditions. The amendments become effective 30 November 1999. Contact the Commission at (303) 692-3467 for questions or more information.
- **Final Adoption: Regenerating and Storing Lead Acid Batteries.** The Colorado Hazardous Waste Commission adopted amendments to the universal waste rule which correct certain regulatory provisions that apply to storing and regenerating lead acid batteries. Contact the Commission at (303) 692-3467 for questions or more information.
- **Proposed Rule: Notification of Hazardous Waste Activity.** The Colorado Hazardous Waste Commission will consider adopting revision of Part 99 to update the reference of EPA Form 8700-12 to "Notification of Regulated Waste Activity". The term "regulated" will replace the former term "hazardous". The rule-making hearing will be conducted, 16 November 1999, beginning at 1300 hours in the Colorado Department of Public Health and Environment's Building A, Sabin Conference Room. Contact the Commission at (303) 692-3467 for questions or more information.
- **Proposed Rule: Land Disposal Restrictions Phase IV.** The Colorado Hazardous Waste Commission will consider adopting the EPA's Land Disposal Restrictions Phase IV regarding hazardous soils treatment standards and exclusions (63 FR 28556-28753 and 64 FR 25408-25417). The amendments being adopted at this time include: adding a definition of soil; revising Section 268.7 to include the record keeping and reporting requirements that apply to contaminated soil; establishing a site-specific variance from the technology-based soil treatment standards at Section 268.44(h)(3) and (h)(4); and they add alternative land disposal restriction treatment standards for contaminated soil at Section 268.49. The rule-making hearing will be conducted, 16 November 1999, beginning at 1300 hours, in the Colorado Department of Public Health and Environment's Building A, Sabin Conference Room. Contact the Commission at (303) 692-3467 for questions or more information.
- **Proposed Rule: Hazardous Remediation Waste Management Requirements (HWIR Media).** The Colorado Hazardous Waste Commission will consider adopting the amendments that cover treatment, storage and disposal of remediation waste managed at cleanup sites. According the Commission, the proposal will make it faster and easier to obtain permits for treating, storing and disposing of remediation wastes, and will provide that obtaining these permits will not subject the owner and/or operator to facility-wide corrective action. These amendments also create a new kind of unit called a "staging pile" that allows more flexibility in storing remediation wastes during cleanup. A new Section 100.27 is included for Remedial Action Plans (RAPs). The rule-making hearing will be conducted 16 November 1999, beginning at 1300 hours in the Colorado Department of Public Health and Environment's Building A, Sabin Conference Room. Contact the Commission at (303) 692-3467 for questions or more information.
- **Proposed Rule: Variances From Nation LDR Treatment Standards.** The Colorado Hazardous Waste Commission will consider adopting amendments that would revise Section 268.44, finalizing clarifying amendment to the rule authorizing variances from the national LDR treatment standards, adopting EPA's interpretation that a treatment variance may be granted when treatment of any given waste to the level or by the method specified in the regulations is not appropriate. These

amendments to Section 268.44 include the revisions that were published in the Federal Register on 5 December 1997 (62 FR 64504-64509) as well as revisions from the hazardous soils treatment standards and exclusions portion of the LDR Phase IV final rule that was published in the Federal Register on 26 May 1998 (63 FR 28556-28753). The rule-making hearing will be conducted 16 November 1999 beginning at 1300 hours, in the Colorado Department of Public Health and Environment's Building A, Sabin Conference Room. Contact the Commission at (303) 692-3467 for questions or more information.

- **Draft Revised Hazardous Waste Penalty Policy.** The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division has developed a new draft policy that will replace the existing policy used by the Division, and will be used to determine appropriate penalties for violations of hazardous waste laws and regulations in Colorado. According to the agency, the policy clarifies the method and process for determining penalties. The text of the draft policy can be found on the agency's internet web page at <http://www.cdphe.state.co.us/hm/penaltypolicycover.html>. The agency will accept comments from 1 November – 1 December 1999. Hard copies will be made available on request at (303) 692-3320 or 888-569-1831 extension 3320 (toll free) or by email to comments.hmwmd@state.co.us. Comments may be submitted by email to joe.schieffelin@state.co.us or by regular mail to: Mr. Joe Schieffelin, HMWMD-B2, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

MONTANA

Regulatory Developments

Water Quality:

Final Rule: Water Quality Standards. The Montana Department of Environmental Quality adopt by reference the "Montana Numeric Water Quality Standards Circular" (WQB-7) published JUN 99. The WQB-7 establishes limits for toxic, carcinogenic, bioconcentrating, nutrient, and harmful parameters in water. The JUN 99 edition deletes the trigger values for seven parameters that were disapproved by USEPA on 24 DEC 98. USEPA determined those values were inappropriate for determining "significant" changes in water quality for purposes of complying with federal antidegradation requirements. The values were determined to be inappropriate because the either exceeded the applicable water quality standard or are set at levels that are one-quarter or one-half of the standard. The disapproved trigger values were for: total residual chlorine; hexavalent chromium; cyanide; 4,6 dinitro-o-cresol; endosulfan I; methoxychlor; and parathion. The Department held a public hearing 20 August 1999 and written comments were accepted until 27 August 1999. The proposal was adopted and became effective 7 October 1999.

Solid/Hazardous Waste:

- **Proposed Rule: Military Munitions.** The Montana Department of Environmental Quality held a 19 October 1999 public hearing to listen to comments from the public regarding its proposal to adopt new military munitions regulations. According to the agency POC no significant comments were offered. Thus, the proposal was submitted to the agency Executive Director for review and signature. The POC advised that the new regulations should be effective by or before year-end 1999. Contact Mr. Mark Hall at (406) 444-4096 for more information.

NORTH DAKOTA***Legislative Developments***

Governor Ed Schafer (R) announced 5 October 1999 that he will not be seeking a third term as Governor of North Dakota. Schafer, 53, was elected Governor in 1992, defeating Attorney General Nicholas Spaeth by a decisive margin. Schafer won re-election in 1996 by a 67-33 percent margin over state Democratic Representative Lee Kaldor. North Dakota's Constitution places no limits on the number of four-year terms a Governor may serve. The next Governor will take office 15 December 2000.

Regulatory Developments

No significant regulatory developments were noted for the State of North Dakota during the reporting period.

SOUTH DAKOTA***Regulatory Developments*****Water Quality:**

- **Rule Adoption – Total Maximum Daily Loads (TMDLs).** The South Dakota Department of Environment and Natural Resources is developing its year 2000 303(d) list of impaired surface waters. The Clean Water Act requires states to list, every two years, impaired waters for which the development of TMDLs are required. The next 303(d) list is required to be submitted by 4 January 2000. The Department is accepting comments prior to developing the list.

UTAH***Regulatory Developments*****Air Quality:**

- **Proposed Rule: Administrative Procedures.** The Utah Department of Environmental Quality (UDEQ) proposes to consider adopting Regulation R307-103, establishing administrative procedures that are tailored to the Division of Air Quality's administrative needs and the needs of those affected by the agency's actions. Interested persons may present their views on this proposed rule by submitting written comments no later than 1700 hours on 1 December 1999, or by attending a public hearing scheduled for 18 November 1999, beginning at 1330 hours, Room 201, UDEQ Building, 168 North 1950 West, Salt Lake City, Utah. Direct questions to Ms. Jan Miller at (801) 536-4042 or by Internet E-mail at jmiller@deq.state.ut.us.
- **Proposed Rule: Request For Review.** The UDEQ proposes to consider adopting Regulation R307-414-3, that would set forth a process to appeal the fee paid for Division of Air Quality review of applications for new construction or modifications to existing sources of air pollution. The proposed rule more clearly and completely spells out the process for an appeal. Interested persons may present their views on this proposed rule by submitting written comments no later than 1700 hours on 1 December 1999, or by attending a public hearing scheduled for 18 November 1999, beginning at 1330 hours, Room 201, UDEQ Building, 168 North 1950 West, Salt Lake City, Utah. Direct questions to Ms. Jan Miller at (801) 536-4042 or by Internet E-mail at jmiller@deq.state.ut.us.
- **Proposed Rule: Operating Permit Requirements.** The UDEQ proposes to consider adopting Regulation R307-415. It would amend the Operating Permits rule to bring it into consistency with the

new Rule R307-103. In Subsection R307-415-6d(2), amend the last sentence to specify that a permit action shall be final after all requirements of Sections R307-415-5a through R307-415-5e have been met. Delete all of Section R307-415-10, "Administrative Procedures and Appeals". Interested persons may present their views on this proposed rule by submitting written comments no later than 1700 hours on 1 December 1999, or by attending a public hearing scheduled for 18 November 1999, beginning at 1330 hours, Room 201, UDEQ Building, 168 North 1950 West, Salt Lake City, Utah. Direct questions to Ms. Jan Miller at (801) 536-4042 or by Internet E-mail at jmiller@deq.state.ut.us.

WYOMING

Regulatory Developments

Air Quality:

- **Rule Adoption – Federal Air Quality Regulations.** The Wyoming Department of Environmental Quality proposed the amendment of its air quality regulations to update federal adoptions to include those regulations promulgated through 1 July 1998. The amendments affect: VOCs; New Source Performance Standards; NESHAPs; the Acid Rain program; and Prevention of Significant Deterioration. The Department held a public hearing 23 June 1999 and accept written comments to 23 June 1999. The Department held a second public hearing 13 September 1999. The Department adopted the amendments 13 September 1999 and they are currently pending administrative review.
- **Proposed Restructuring of Air Quality Regulations.** The Wyoming Department of Environmental Quality (WDEQ) Air Quality Division is in the process of restructuring the entire set of Wyoming Air Quality Regulations. A proposal to this effect was taken before the Air Quality Advisory Board in April 1999 and was adopted by the Environmental Quality Council. Final administrative review should be completed by late November of 1999 and the rule should become effective by the end of the year. The restructuring is simply a rearrangement of existing regulations from one single 413-page chapter into 13 smaller chapters. Contact Ms. Christine Jenkins at (307) 672-6457 for questions or more information.

Water Quality:

- **Drinking Water Assessments.** The WDEQ is developing a program to assess the safety of Wyoming public drinking water supplies. Public water systems in Wyoming have the option of participating in Source Water Assessment and Protection (SWAP). The WDEQ sent applications for SWAP program participation to public water systems earlier this year. All eligible facilities are encouraged to participate. Contact Ms. Kim Parker at (307) 777-7343 or by email at kparke@missc.state.wy.us for questions or more information.